

## ASHBY & GEDDES

ATTORNEYS AND COUNSELLORS AT LAW  
222 DELAWARE AVENUE  
P. O. BOX 1150  
WILMINGTON, DELAWARE 19899

TELEPHONE  
302-654-1888  
FACSIMILE  
302-654-2067

June 30, 2006

### VIA E-FILING

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
844 King Street  
Wilmington, Delaware 19801

RE: *Creedon Controls, Inc. v. Banc One Building Corporation, et al.*,  
C.A. No. 05-300-JJF

Dear Judge Farnan:

Enclosed is the parties' stipulated Amended Rule 16 Scheduling Order for Your Honor's consideration. The dates set forth in the stipulated form of order generally follow those discussed at the June 1, 2006 status conference with Your Honor, with the exception of the deadline for submitting dispositive motions relating to the issues of whether (i) Forest Electric Corporation ("Forest") had authority to act as an agent of Banc One Building Corporation ("BOBC"), or (ii) BOBC is in privity of contract with Creedon Controls, Inc. ("Creedon") or whether Creedon is solely a subcontractor to Forest. The Court had originally set July 7, 2006 as the deadline for such motions. Forest and BOBC would respectfully request that that date be moved to July 14, 2006 to allow them to review a substantial number of documents that are being produced by a non-party pursuant to a subpoena on July 6, 2006. Creedon has no objection to the requested extension.

If the form of order meets with Your Honor's approval, we would respectfully request that it be entered as an Order of the Court. We are, of course, available at Your Honor's convenience.

Respectfully submitted,

/s/ Philip Trainer, Jr.

Philip Trainer, Jr. (#2788)

cc: Paul Bradley, Esq. (via e-mail)  
Robert Beste, Esq. (via e-mail)